



**First Report to Court of
KSV Restructuring Inc.,
as Escrow Agent**

March 30, 2022

Contents		Page
1.0	Introduction.....	1
1.1	Purposes of this Report.....	2
1.2	Currency	2
2.0	Assets Held in Escrow	2

Appendices

Appendix	Tab
Order Varying & Extending Mareva Injunction	A
Summary of Cryptocurrency Assets.....	B



COURT FILE NO.: CV-22-00088514-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

ZEXI LI, HAPPY GOAT COFFEE COMPANY INC., 7983794 ONTARIO INC., (C.O.B.) AS UNION:
LOCAL 613 AND GEOFFREY DEVANEY

APPLICANT

- AND -

CHRIS BARBER, BENJAMIN DICHTER, TAMARA LICH, PATRICK KING, JAMES BAUDER,
BRIGITTE BELTON, DANIEL BULFORD, DALE ENNS, CHAD EROS, CHRIS GARRAH,
MIRANDA GASIOR, JOE JANSEN, JASON LAFACE, TOM MARAZZO, RYAN MIHILEWICZ,
SEAN TIESSEN, NICHOLAS ST. LOUIS, (a.k.a. @NOBODY CARIBOU), FREEDOM 2022
HUMAN RIGHTS AND FREEDOMS, JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN DOE 4,
JOHN DOE 5, JOHN DOE 6, JOHN DOE 7, JOHN DOE 8, JOHN DOE 9, JOHN DOE 10, JOHN
DOE 11, JOHN DOE 12, JOHN DOE 13, JOHN DOE 14, JOHN DOE 15,
JOHN DOE 16, JOHN DOE 17, JOHN DOE 18, JOHN DOE 19, JOHN DOE 20, JOHN DOE 21,
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JOHN DOE 46, JOHN DOE 47, JOHN DOE 48, JOHN DOE 49, JOHN DOE 50, JOHN DOE 51,
JOHN DOE 52, JOHN DOE 53, JOHN DOE 54, JOHN DOE 55, JOHN DOE 56, JOHN DOE 57,
JOHN DOE 58, JOHN DOE 59, JOHN DOE 60, JANE DOE 1 and JANE DOE 2

RESPONDENTS

FIRST REPORT OF KSV RESTRUCTURING INC.
AS ESCROW AGENT

MARCH 30, 2022

1.0 Introduction

1. On February 17, 2022, the Ontario Superior Court of Justice (the "Court") issued an order (the "Mareva Order") granting a Mareva injunction in the above referenced class action proceedings.

2. On February 28, 2022, the Court issued an order (the "Order Varying & Extending Mareva Injunction") pursuant to a motion by Zexi Li et al. (the "Applicants") appointing KSV Restructuring Inc. ("KSV") as the escrow agent (the "Escrow Agent") of those assets listed in Schedule "A" to the Mareva Order that are transferred to the Escrow Agent (the "Escrow Assets"). A copy of the Order Varying & Extending Mareva Injunction is attached as Appendix "A".
3. Section 8(d) of the Order Varying & Extending Mareva Injunction provides that the Escrow Agent shall "Report to the Escrow Respondents, the Plaintiffs and this Court as to the progress of the fulfillment of the Escrow Agent's power and duties pursuant to this Order."
4. This report ("Report") has been prepared by KSV as Escrow Agent.

1.1 Purposes of this Report

1. The purposes of this Report are to:
 - a) summarize the assets which have been transferred to the Escrow Agent; and
 - b) summarize certain other activities of the Escrow Agent.

1.2 Currency

1. All references to currency in this Report are to Canadian dollars.

2.0 Assets Held in Escrow

1. As of the date of this Report, the following cash balances have been transferred to the Escrow Agent.

(\$)			
Source	Notes	Date Received	Amounts
Royal Bank of Canada ("RBC")	1	March 23, 2022	141,482
Toronto-Dominion Bank ("TD Bank")	2	March 16, 2022	1,393,399
Steinbach Credit Union	3	March 28, 2022	10,000
			1,544,881

Notes

1. Represents the net amount on deposit in a personal bank account at RBC of Christopher Garrah, an Escrow Respondent. The Escrow Agent has been advised that donations from the "Adopt-a-Trucker" campaign were deposited into this account and the majority of expenses related to that campaign were paid from this account.
2. Represents the net amounts on deposit in two personal bank accounts at TD Bank on which Tamara Lich, an Escrow Respondent, is a signatory¹. The Escrow Agent has been advised that the balance represents donations received and a transfer from the "Freedom Convoy 2022" fundraising campaign hosted on "GoFundMe". The balance transferred was net of expenses paid from this account.
3. Represents a bank draft made payable to Freedom 2022 Human Rights and Freedoms.

¹ Chris Barber is a signatory on one of the TD Bank accounts.

2. The following table provides a summary of cryptocurrency that has been transferred to the Escrow Agent. Further details of the cryptocurrency assets are provided in Appendix "B".

Assets	Balance
BTC	7.624345880
ETH	0.392300813
LTC	0.047724040
ETC	1.140560130

3. Based on the closing rates on March 28, 2022², the Canadian dollar equivalent of the cryptocurrency transferred to the Escrow Agent is approximately \$450,327.
4. Since being appointed, the Escrow Agent has attended videoconferences with each of the Escrow Respondents listed below, as well as other individuals referenced in the table below. Each of the individuals referenced in the table has advised the Escrow Agent that they have transferred all donations in their possession, net of expenses, to the Escrow Agent, or that they were never, or they are not currently, in possession of Escrow Assets. The Escrow Agent has requested additional information concerning bank account activity from certain of the Escrow Respondents, and/or will be requesting additional bank statements from certain of the Escrow Respondents, but has not otherwise taken steps to confirm the foregoing.

Individual	Escrow Respondent	Meeting Date
Christopher Garrah	Yes	March 2 and 14, 2022
Serge (last name unknown)	No	March 7 and 23, 2022
Benjamin Dichter	Yes	March 14, 2022
Nicholas St. Louis	Yes	March 14, 2022
Benjamin Perrin	No	March 22, 2022
Tamara Lich	Yes	March 25, 2022
Chad Eros	No	March 25, 2022

* * *

All of which is respectfully submitted,

KSV Restructuring Inc.

**KSV RESTRUCTURING INC.
IN ITS CAPACITY AS ESCROW AGENT OF
THE ESCROW ASSETS
AND NOT IN ITS PERSONAL CAPACITY**

² Source: www.coingecko.com

Appendix “A”

Court File No. CV-22-00088514-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE	)	MONDAY, THE 28TH
	)	
MR. JUSTICE C. MACLEOD	)	DAY OF FEBRUARY, 2022

B E T W E E N:

(Court Seal)

ZEXI LI, HAPPY GOAT COFFEE COMPANY INC., 7983794 ONTARIO INC.,
(c.o.b.) as UNION: LOCAL 613 and GEOFFREY DEVANEY
Plaintiffs/Moving Parties

and

CHRIS BARBER, BENJAMIN DICHTER, TAMARA LICH, PATRICK KING, JAMES
BAUDER, BRIGITTE BELTON, DANIEL BULFORD, DALE ENNS, CHAD EROS, CHRIS
GARRAH, MIRANDA GASIOR, JOE JANSEN, JASON LAFACE, TOM MARAZZO, RYAN
MIHILEWICZ, SEAN TIESSEN, NICHOLAS ST. LOUIS, (a.k.a. @NOBODY CARIBOU),
FREEDOM 2022 HUMAN RIGHTS AND FREEDOMS, JOHN DOE 1, JOHN DOE 2, JOHN
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JOHN DOE 58, JOHN DOE 59, JOHN DOE 60, JANE DOE 1 and JANE DOE 2

Defendants/Responding Parties

Proceeding under the *Class Proceedings Act, 1992*

ORDER
(VARYING & EXTENDING MAREVA INJUNCTION)

THIS MOTION, made by the Plaintiffs Zexi Li, Happy Goat Coffee Company Inc., 7983794 CANADA INC. (c.o.b. UNION: LOCAL 613) and Geoffrey Devaney, on their own behalf and on behalf of the proposed classes as defined in the Fresh as Amended Statement of Claim issued February 18, 2022, for an Order pursuant to section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended (“**CJA**”), appointing KSV Restructuring Inc. (“KSV”) as escrow agent (in such capacity, the “**Escrow Agent**”) of the Escrow Assets (defined below) and for an Order varying and extending this Court’s Order of February 17, 2022 granting a Mareva injunction (the “**Mareva Order**”) over the assets of the corporate Defendant Freedom 2022 Human Rights and Freedoms (“**Freedom 2022**”) as well as the individual Defendants Patrick King, Tamara Lich, Christopher Garrah, Nicholas St. Louis, and Benjamin Dichter (collectively, the “**Individual Mareva Respondents**” and together with Freedom 2022, the “**Mareva Respondents**”), among other relief, was heard this day in Ottawa by videoconference.

ON READING the Motion Record of the Plaintiffs dated February 15, 2022 (Mareva Injunction), the Supplementary Motion Record of the Plaintiffs dated February 16, 2022 (Mareva Injunction), the Motion Record of the Plaintiffs dated February 25, 2022 (Extend Mareva Injunction), the Supplementary Motion Record of the Plaintiffs dated February 26, 2022 (Extend Mareva Injunction), the Factum of the Plaintiffs dated February 25, 2022, the Motion Record of the Mareva Respondents (other than Patrick King) dated February 27, 2022 and with regard to the materials previously filed in support of an earlier injunction (“**Motion Materials**”).

AND UPON BEING ADVISED of the consent of the Plaintiffs and the Mareva Respondents Freedom 2022, Tamara Lich, Christopher Garrah, Benjamin Dichter, and Nicholas St. Louis (the “**Escrow Respondents**”), and on no one appearing for Patrick King although duly served in accordance with paragraph 15 of the Mareva Order, and upon being advised of the consent of KSV Restructuring Inc. to act as the Escrow Agent.

Service

1. **THIS COURT ORDERS** that the time for service of the Motion Materials is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

Varying & Extending the Mareva Order

2. **THIS COURT ORDERS** that this Court’s Mareva Order is hereby extended to March 9, 2022 or until further order of the Court.

3. **THIS COURT ORDERS** that this Court’s Mareva Order is hereby varied in accordance with the terms of this Order.

4. **THIS COURT ORDERS** that the Mareva Order is varied to permit the Escrow Assets (as defined below) to be transferred forthwith to the Escrow Agent (as defined below).

5. **THIS COURT ORDERS** that this Order is without prejudice to the Mareva Respondents’ rights to seek to vary or discharge the Mareva Order in accordance with paragraphs 6 or 13 thereof.

6. **THIS COURT ORDERS** that this Order is without prejudice to any person’s right to seek to vary this Order or the Mareva Order in accordance with paragraph 13 of the Mareva Order.

Appointment of Escrow Agent

7. **THIS COURT ORDERS** that pursuant to section 101 of the *CJA*, KSV is hereby appointed as an officer of this Court as Escrow Agent over all Escrow Assets (defined below) to exercise the powers, duties and obligations of the Escrow Agent as set out in this Order.

8. **THIS COURT ORDERS** that the Escrow Agent shall:

- (a) Forthwith collect, receive and exercise control over the Escrow Assets and any and all proceeds, receipts, and disbursements arising out of or from the Escrow Assets;
- (b) Take all steps to receive, preserve, and protect the Escrow Assets, or any part or parts thereof, including, but not limited to, the changing of passwords, private keys, seed word or phrase or security codes and the relocation of Escrow Assets into new accounts or wallets to safeguard them;
- (c) Engage such consultants, agents, experts, auditors, accountants, managers, counsel and such other persons from time to time as may be necessary to assist with the exercise of the Escrow Agent's powers and duties, including without limitation those conferred by this Order;
- (d) Report to the Escrow Respondents, the Plaintiffs and this Court as to the progress of the fulfillment of the Escrow Agent's power and duties pursuant to this Order.

9. **THIS COURT ORDERS** that the Escrow Agent may from time to time apply to this Court for advice and directions in the discharge of its powers and duties hereunder.

10. **THIS COURT ORDERS** that the Escrow Agent shall incur no liability or obligation as a result of its appointment or the carrying out the provisions of this Order, save and except for any gross negligence or wilful misconduct on its part.

The Escrow Assets

11. **THIS COURT ORDERS** that the Mareva Order is varied to provide that the following assets shall be transferred or paid into escrow to the Escrow Agent in accordance with the terms of this Order:

- (a) Any and all funds held in the bank account of or controlled by the Escrow Respondent, Christopher Garrah, which he has received or is receiving as donations by way of the “Adopt-a-Trucker” website or etransfers by way of the email address donations@adopt-a-trucker.ca;
 - (b) Any and all digital assets or cryptocurrency that are or were held in the digital wallets listed in paragraph 7 of Schedule “A” to the Mareva Order;
 - (c) Any and all digital assets or cryptocurrency that are or were held in the digital wallets listed in paragraph 9 of Schedule “A” to the Mareva Order
- (collectively subparagraphs 11(a) to (c) are the “**Escrow Assets**”).

The Mareva Assets and the Respondents’ Assets

12. **THIS COURT ORDERS** that, for the avoidance of doubt:

- (a) With the exception of the Escrow Assets, the remaining assets described in Schedule “A” to the Mareva Order (the “**Mareva Assets**”) remain subject to the Mareva Order until further Order of the Court; and
- (b) Paragraph 11 of the Mareva Order, which requires all banks, financial institutions, money service businesses, fundraising platforms or websites, cryptocurrency exchanges or platforms, or custodians of any cryptocurrency wallets (collectively the “**Intermediaries**”) to disclose and deliver up to the Plaintiffs any and all records held by the Intermediary concerning the Mareva Respondents’ assets, including the existence, nature, value and location of any monies or assets or credit, wherever situate, held by the Intermediaries (the “**Respondents’ Assets**”) remains in place. For greater certainty, the disclosure to be provided by the Intermediaries about the Respondents’ Assets is not and shall not be limited to information regarding the Mareva Assets.

Christopher Garrah

13. **THIS COURT ORDERS** that Christopher Garrah shall forthwith and by no later than March 9, 2022 take all steps necessary to transfer to the Escrow Agent all funds he has received or is receiving as donations by way of the “Adopt-a-Trucker” website or etransfers by way of the email address donations@adopt-a-trucker.ca.

14. **THIS COURT ORDERS** that Christopher Garrah shall forthwith and by no later than March 9, 2022 provide to the Escrow Agent all passwords, private keys, seed word or phrase, usernames, access codes, keys, encryption solutions, or any other information in his power, possession, or control necessary to provide the Escrow Agent with access to and control of (a) any

and all of the wallets referred to in paragraph 7 of Schedule “A” to the Mareva Order; and (b) any wallets, accounts, persons, or places to which the assets listed in paragraph 7 of Schedule “A” have been transferred since the date of the Mareva Order.

Benjamin Dichter

15. **THIS COURT ORDERS** that Benjamin Dichter shall forthwith and by no later than March 9, 2022 provide to the Escrow Agent all passwords, private keys, seed word or phrase, usernames, access codes, keys, encryption solutions, or any other information in his power, possession, or control necessary to provide the Escrow Agent with access to and control of (a) any and all of the wallets referred to in paragraph 9 of Schedule “A” to the Mareva Order; and (b) any wallets, accounts, persons, or places to which the assets listed in paragraph 9 of Schedule “A” have been transferred since the date of the Mareva Order.

Nicholas St. Louis

16. **THIS COURT ORDERS** that Nicholas St. Louis shall forthwith and by no later than March 9, 2022 provide to the Escrow Agent all passwords, private keys, seed word or phrase, usernames, access codes, keys, encryption solutions, or any other information in his power, possession, or control necessary to provide the Escrow Agent with access to and control of (a) any and all of the wallets referred to in paragraph 9 of Schedule “A” to the Mareva Order; and (b) any wallets, accounts, persons, or places to which the assets listed in paragraph 9 of Schedule “A” have been transferred since the date of the Mareva Order.

Escrow Assets to be held in Escrow

17. **THIS COURT ORDERS** that the Escrow Agent shall hold the Escrow Assets in escrow until the final determination of this action or further order of this Court.

Duty of Cooperation

18. **THIS COURT ORDERS** that any and all persons with notice of this Order, including the Mareva Respondents and any banks, financial institutions, money service businesses, payment processors, fundraising platforms or websites, cryptocurrency exchanges or platforms, and custodians of any cryptocurrency wallets, shall cooperate and provide all reasonable assistance necessary to effect the transfer of Escrow Assets to the Escrow Agent.

19. **THIS COURT ORDERS** that Christopher Garrah, Benjamin Dichter and Nicholas St. Louis shall:

- (a) Cooperate with and provide all necessary assistance to the Escrow Agent to effect the transfer of the Escrow Assets to the Escrow Agent;
- (b) Cooperate with and provide the Escrow Agent with all assistance necessary to enable the Escrow Agent to carry out the Escrow Agent's duties and obligations pursuant to this Order;
- (c) Provide the Plaintiffs and the Escrow Agent with copies of any and all account records or other documentation related to Escrow Assets including all account records or other documentation with respect to the transfer of such funds pursuant to paragraph 13 to 16 above.
- (d) Advise the Escrow Agent of all steps taken by them in accordance with their obligations pursuant to paragraphs 13 to 16 above.

Funding of the Escrow Agent

20. **THIS COURT ORDERS** that the Escrow Agent shall be paid their reasonable fees and disbursements, in each case at their standard rates and charges unless otherwise ordered by the Court on the passing of accounts, out of the Escrow Assets and that the Escrow Agent shall be entitled to and is hereby granted a charge (the “**Escrow Charge**”) on the Escrow Assets, as security for such fees and disbursements, both before and after the making of this Order in respect of these proceedings, and that the Escrow’s Charge shall form a first charge on the Property in priority to all security interests, trusts, liens, charges and encumbrances, statutory or otherwise, in favour of any Person.

21. **THIS COURT ORDERS** that the Escrow Agent shall pass its accounts from time to time, and for this purpose the accounts of the Escrow Agent and its legal counsel are hereby referred to this Court.

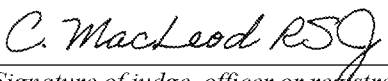
22. **THIS COURT ORDERS** that prior to the passing of its accounts, the Escrow Agent shall be at liberty from time to time to apply reasonable amounts, out of the Escrow Assets in its hands, against its fees and disbursements incurred at the standard rates and charges of the Escrow Agent and such amounts shall constitute advances against its remuneration and disbursements when and as approved by this Court.

Next Attendance

23. **THIS COURT ORDERS** that the Plaintiffs and the Mareva Respondents shall return to this Court on March 9, 2022 at 2:00 p.m.

24. **THIS COURT ORDERS** that the disclosure in paragraph 7 and the examinations described in paragraph 8 of the Mareva Order shall be scheduled or otherwise addressed by this Court on March 9, 2022 at 2:00 p.m.

25. **THIS COURT ORDERS** that this Order is and shall be immediately in effect upon issuance regardless of whether it has been formally entered.



(Signature of judge, officer or registrar)

ZEXI LI et al.
Plaintiffs

-and- CHRIS BARBER et al.
Defendants

Court File No. CV-22-00088514-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT OTTAWA

ORDER
(EXTENSION OF MAREVA INJUNCTION)

LENCZNER SLAGHT LLP

Barristers
Suite 2600
130 Adelaide Street West
Toronto ON M5H 3P5

Moniq [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

Madison Robins [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

Sarah [REDACTED] man [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

Jessica [REDACTED] ras [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

Acting as Agent to Champ & Associates, Counsel for
the Plaintiff,
Zexi Li

Email for parties served:

Jane Doe 1: [email]
Jane Doe 2: [email]
Chris Barber: [email]
Norman Groot [REDACTED]
Patrick King [REDACTED]
James Bauder: [email]
Brigitte Belton: [email]
Daniel Bulford: [email]
Dale Enns: [email]
Chad Eros: [email]
Miranda Gasior: [email]
Joe Jansen: [email]
Jason LaFace: [email]
Tom Marazzo: [email]
Ryan Mihilewicz: [email]
Sean Tiessen: [email]
Nicholas St. Louis, (a.k.a. @NOBODY CARIBOU):
btcdiplomat1@tutanota.com
John Doe 1 to John Doe 60: [email]
Ewa Krajewska: [REDACTED]
Melissa Adams: [REDACTED]
Catherine A. Lawrence:

[REDACTED]

Appendix “B”

DETAILS OF CRYPTOCURRENCY SECURED BY THE ESCROW AGENT						
Secured From	Asset Ref	Asset	Escrow Agent Cryptocurrency Address	Receiving Transaction Hash	Date & Local Time (EST) of Receipt	Balance Received
Respondent A	1	BTC	bc1qqt3kde6hp5f3nhhc2rgjhu2c28jxmc7v9l2cvr	0902e9938d391902867641f6c3e51acbb1d7eee138a8d836bb8fcabab5e2d3b5	2022-03-07 17:48	0.052312520
	2	ETH	0x5e4EEeD851056F645C26E00D583BE30a6cbe34c1	0xd28309576bdd4665aa950f74d6bf604a09cbf3e1989c9dc18a77ba9303a30679	2022-03-07 17:33	0.392300813
	3	LTC	ltc1qetnfzh4j6dey0mrfn3868cz755rvckxcna6gfl	a21e81c030deb9ce7c51766195afbc781068108fde0247f8946f40c5b97c6701	2022-03-07 17:49	0.047724040
	4	ETC	0x1a53dBC5D5ae6F3723fC19a0881C7C667610884	0x3190d1bb1a55ffeb06e0a2c912c85af07f54087f2544772ce891df266507f224	2022-03-07 17:51	1.140560130
Respondent B	1	BTC	bc1qskfm482ftvrn38w9a93x2mst067mu6g7mteepa	cb3368508c4353bb12f20854a0d475b0a00375f5f9508c657af6f3f90b7ed180	2022-03-09 16:51	5.964053980
Respondent C	1	BTC	bc1qgvapfv2egj70ajl0c8at44prk5nc3llju0ffj	7a1d623f4918707eb3b171ed0e9cec4f316bcd7f4653c4f980181be6c1e05982	2022-03-22 14:44	0.499989070
	2	BTC	bc1qmdatzlu0h2ya45fwqk77m3cux2ze4xwlpdtuc0	cc22b249e5d4325f6b9a2cfd284d45b5c55d640ac05cd9fa6a5688343c98b5c0	2022-03-22 14:45	0.499989070
	3	BTC	bc1qrss09guau90s3eryt45sfrpjp49pf5vamr66mv	a875938f6759a4ecb942bfff24a31dcae71dac6821729866f58a70d5c6d9032b	2022-03-22 14:46	0.499989070
	4	BTC	bc1qv3xmea0a5zg060exjzsvxm39ly3xrxft7vn5uv	5190d40be6b9d431ada88fb49cabe50f83343caac835ab291753998aea9c9bf9a	2022-03-22 14:47	0.108012170

Summary of Assets Secured As at March 29, 2022	
Asset	Balance
BTC	7.624345880
ETH	0.392300813
LTC	0.047724040
ETC	1.140560130